

1 3. Roy L. Panelli is a named respondent in the above-entitled matter and was served
2 with the Summons and Petition on July 26, 2007. The Proof of Service for respondent Roy L.
3 Panelli has been filed with the Court and is attached hereto as Exhibit "1."

4 4. As of September 28, 2007, no responsive pleadings, defenses, or answers in proper
5 form have been served on petitioner and/or petitioner's counsel by Roy L. Panelli, an individual.
6 More than twenty days have elapsed since the date of service of said respondent, which is the time
7 permitted pursuant to the Federal Rules of Civil Procedure within which a respondent served with a
8 petition is permitted to serve on counsel for petitioner a responsive pleading, defense, or answer.

9 5. Because of the failure of Roy L. Panelli, an individual, to timely respond to the
10 Petition, which was properly served in this matter, it is hereby requested that the default of said
11 respondent be entered pursuant to the Federal Rules of Civil Procedure, Rule 55.

12 I declare under penalty of perjury that the foregoing is true and correct, and that this
13 declaration was executed on September 28, 2007, at San Diego, California.

14
15 DATED: September 28, 2007

Submitted by,

16
17
18 s/ Jonah A. Toleno
JONAH A. TOLENO, Declarant

DECLARATION OF SERVICE

I, Jonah A. Toleno, declare as follows:

I am employed in the County of San Diego, California; I am over the age of eighteen years and am not party to this action. My business address is 401 West "A" Street, Suite 2330, San Diego, California, 92101. On September 28, 2007, I served the following document:

**DECLARATION OF JONAH A. TOLENO AND REQUEST FOR ENTRY OF
DEFAULT AS TO RESPONDENT ROY L. PANELLI**

to each of the persons named below at the addresses shown as follows:

(X) BY ECF (ELECTRONIC CASE FILING): I e-filed the above referenced document utilizing the United States District Court, Northern District of California's mandated ECF (Electronic Case Filing) service on September 28, 2007. Counsel of record are required to be registered e-filers, and as such are automatically e-served with a copy of the documents upon confirmation of e-filing.

(X) BY OVERNIGHT DELIVERY: I deposited said document in a box or other facility regularly maintained by the express service carrier providing overnight delivery to the respondent listed below at the address shown.

Respondent Roy L. Panelli
1436 Grand Avenue
San Rafael, CA 94901

I certify under the penalty of perjury that the foregoing is true and correct and that this Declaration of Service was executed on September 28, 2007, at San Diego, California.

/s/ Jonah A. Toleno
JONAH A. TOLENO

Exhibit 1

Erwin J. Shustak (CBN 119152)
Thomas C. Frost (CBN 185187)
Jonah A. Toleno (CBN 209600)
Email: jtoleno@shufirm.com
Robert L. Hill (CBN 241624)
Email: rhill@shufirm.com
SHUSTAK & PARTNERS
410 West "A" Street, Suite 2330
San Diego, California 92101
Telephone: (619) 696-9500
Facsimile: (619) 615-5290

Attorneys for Petitioner
DENISE R. REED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DENISE R. REED,

Petitioner,

VS.

NATIONAL ASSOCIATION OF SECURITIES
DEALERS, INC., WHITE PACIFIC
SECURITIES, INC., and ROY L. PANELLI,

Respondents.

) Case No. 4:07-CV-03648-CW

) PROOF OF SERVICE FOR RESPONDENT
) ROY L. PANELLI

<i>Attorney or Party without Attorney:</i> Erwin J. Shustak, Esq. Shustak & Partners 401 West "A" Street Suite 2330 San Diego, CA 92101 Telephone No: 619-696-9500 FAX No: 619-615-5290			<i>For Court Use Only</i>	
<i>Attorney for:</i> Plaintiff			<i>Ref. No. or File No.:</i>	
<i>Insert name of Court, and Judicial District and Branch Court:</i> United Stated District Court - Northern District Of California				
<i>Plaintiff:</i> Denise R. Reed <i>Defendant:</i> White Pacific Securities, Inc. et al				
PROOF OF SERVICE Summons & Complaint		<i>Hearing Date:</i>	<i>Time:</i>	<i>Case Number:</i> C073648CW

1. *At the time of service I was at least 18 years of age and not a party to this action.*
2. I served copies of the Summons in a Civil Case; Petition to Confirm Arbitration Award; Points & Authorities in Support of Petition to Confirm; Declaration of Jonah A. Toleno; (Proposed) Order; Order Setting Initial Case Management Conference and ADR Deadlines; Notice of Availability of Magistrate Judge to Exercise Jurisdiction; Notice of Lawsuit and Request for Waiver of Service and Summons; Waiver of Summons; ECF Registration Information Handout
3. *a. Party served:* Roy L. Panelli
b. Person served: Roy L. Panelli, Personally
4. *Address where the party was served:* 1436 Grand Avenue
San Rafael, CA 94901
5. *I served the party:*
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Thu., Jul. 26, 2007 (2) at: 8:00PM
7. **Person Who Served Papers:**
 - a. Oleg Grinshpan
 - b. **Class Action Research & Litigation Support Services, Inc.**
P O Box 740
Penryn, CA 95663
c. (866) 663-9590, FAX (866) 663-4955
 - d. *The Fee for Service was:* Recoverable Cost Per CCP 1033.5(a)(4)(B) \$85.55
 - e. I am: (3) registered California process server
 - (i) Independent Contractor
 - (ii) *Registration No.:* P-378
 - (iii) *County:* Sonoma

8. *I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.*

Date: Fri, Jul. 27, 2007